

## **BOARD OF SELECTMEN**

### **Minutes of**

January 7, 2008

Chairman McArdle called the meeting to order at 7:30PM. Board members present in addition to Chairman McArdle were Richard Gandt, Steve Clark, Dick Carlson and Boyd Jackson. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich, were in attendance. Other persons present were Jane Schraffa and Evleyn Hammond of the Topsfield Cable and Faye Raynard of the Village Reporter.

**Announcements:** Chairman McArdle announced that the Board would go into executive session at the end of the meeting to discuss Library litigation and the mediation session regarding the dispatcher's union contract.

**Selectmen Minutes:** Selectman Gandt made the motion to accept the amended minutes of December 17, 2007; seconded by Selectman Clark; so voted 4-0, Selectman Jackson abstained. Selectman Gandt made the motion to accept the amended minutes of the December 17, 2007 Executive Session and to hold until all matters are resolved; seconded by Selectman Clark, so voted 4-0, Selectman Jackson abstained. Selectman Gandt made a motion to accept the minutes as written of the November 6, 2007 working session; seconded by Selectman Clark; so voted 5-0.

### **OLD BUSINESS:**

**ABC / MASCO Students:** Selectman Carlson explained that the issue regarding the ABC program is Masconomet's inclusion of ABC students in Topsfield's census count which Masconomet uses to assess the Town. It was noted that presently there are five (5) ABC students. However, in past years the number has been as high as nine (9) students. An April 18, 1973 article from the Tri-Town Transcript was presented that explained that, when the program began, the intent was to exempt ABC students from being counted. However, it is apparent that the Town's current assessment includes these students at an estimated cost to Topsfield of \$50,000 per a year. Selectman Carlson had spoken with Topsfield's MASCO School Committee member Larry Lindquist about 3 years ago regarding this issue. Mr. Lindquist indicated that the Masconomet administration and School Committee engaged counsel and the State Department of Education and concluded that it was appropriate to include the students in Topsfield's census. Selectman Carlson drafted a letter that he would like sent to MASCO Superintendent and School Committee Chairman under the Board of Selectmen Chairman's signature. It was generally agreed among the Board that the issue was worth investigation and that the letter should be sent. The Board further affirmed its support for the ABC program and its value to the tri-town area.

**45 Bare Hill Road:** A letter was received from Conservation Commission unanimously recommending that the town to accept the 3.46 acre property from Dora Rytman, of Rytman Grain Co. Selectman Clark asked if back taxes were due they were to be included in the final arrangements. Selectman Gandt noted that Planning Board and Essex County Greenbelt were also requested to comment on the property and asked that the Board wait for their responses before making further arrangements. No further action was taken pending a response from the Planning Board and Essex County Greenbelt.

**NEW BUSINESS:**

Scleroderma Foundation: Selectman Gandt made a motion to approve the annual Walk-A-Thon for Scleroderma Foundation to be held on September 14, 2008 with registration at 10AM and walk to begin at noon, seconded by Selectman Jackson; so voted 5-0. Ms. Wilder had noted that the Police Chief was in agreement with the event.

**Town Administrator's Report:**

Please see attached report.

**Correspondence & Reports**

**Correspondence:**

Chief Haglund has sent a letter detailing the results of an investigation several officers were involved in. Selectmen noted that we are fortunate to have such capable officers and that the Police Chief is proud and complimentary of the force.

Board of Library Trustees has approved RKD Engineers Inc of Andover MA to proceed with the HVAC system.

Richard Rossi of 91 Washington St has sent a letter regarding snow removal at his home. Selectman Jackson has spoken to D. Bond, Highway Superintendent and Road Commissioners stating that Mr. Rossi is due a response from them.

2007 End of year pupil and Financial Report for the Tri-Town School Union are available at the Town Accountants office.

Lisa & Daniel Jones has purchased 70 Salem Rd and will continue the property under Chapter 61, an agricultural restriction.

Municipal Coalition for Affordable Housing sent an update on Chapter 40B.

Verizon FiOS TV Customers 2008 Notice has been received to notify of price increases.

Comcast submitted new pricing along with revised FCC Form 1240, annual update forms with worksheets, all available at the BOS office.

MPO has submitted a request of information regarding FFY's 2009-2012 Transportation Improvement Program (TIP).

Fire Chief will assist in development of a Local Emergency Management Handbook.

Annual Action Plan meetings scheduled for January 10 to discuss funding allocation of the 2008 HOME funds.

Public Protection Classification Survey Results have been received from ISO detailing Topsfield's structural fire suppression delivery system. Selectman Carlson has requested Ms. Wilder to obtain copies of the report from surrounding similar towns. Chairman McArdle requested Ms. Wilder to research what our rating was 5 years ago, for comparison. The rating noted in the report can have an effect on individual property insurance rates in Topsfield.

Comcast has sent a letter informing customers of the NFL's decision to carry the Patriot's game over the NFL Network.

DeRosa Environmental Consulting Inc has submitted an ENF for the Ferncroft Golf Course Pond Restoration project.

Order of Conditions initiated by Selectman Gandt has been completed for 215 Boston Street to alleviate flooding at 224 Boston Street associated with a beaver dam.

**Reports:**

Board of Assessors submitted minutes of November 2 and December 7, 2007.

Cable TV Advisory Committee submitted minutes of November 7, 2007.

Conservation Commission submitted minutes of February 28 and September 26, 2007, CoC for 27 Winsor Lane, 2 for 32 Brookside Rd, 133 Ipswich Rd, Bylaw CoC for 22 Forrest Rd, OoC's for 16 Boston Street, 26 Candlewood Dr and 215 Boston St., DOA 42 Washington St, ORAD for 12 Boston Rd and monthly report for December.

Planning Board submitted minutes of December 4, 2007.

Elementary School Committee submitted minutes of December 6, 2007.

Treasurer/Collector submitted monthly report for December.

Town Accountant submitted monthly report for December.

Web Site Committee submitted minutes of October 24, 2007.

**Warrants:** The Selectmen signed and approved warrants in the amount of **\$ 189,303.96**. The breakdown is as follows:

Warrant #FY08:

055T           \$ 72,889.80

056           \$116,414.16

At 8:19 PM, Chairman made a motion to go into executive session to discuss the Library litigation and the mediation session regarding the dispatcher's union contract; Selectman Gandt seconded motion. A yes vote was recorded for Selectmen Jackson, Selectmen Carlson, Selectmen Gandt, Selectmen Clark and Chairman McArdle. The Board would not return to regular session. Virginia Wilder and Donna Rich were present also.

Respectfully submitted,

Donna Rich, Secretary  
Selectmen's Office

*Approved as written at the January 22, 2008 Board of Selectmen's meeting.*